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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Christoph Nemmaier

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EXAMINER

DONABED, NINOS J

ART UNIT

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2444

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/527,507	Applicant(s) NEMMAIER ET AL.	
	Examiner NINOS DONABED	Art Unit 2444	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/20/2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 46-61 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 46-61 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

This action is in responsive to Applicant's RCE supplemental amendment dated 10/27/2008. Claims 23-45 have been cancelled. Claims 46-61 have been added and are pending in the application.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 46-61 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding Claims 46 and 61, the phrase "data object" is vague and unclear.

There original disclosure lacks explanation into what exactly is meant by a "data object".

Further regarding claims 46 and 61, the phrase "associating a third identifier as a third network address which is different than said second identifier second network address with the data object" is vague and unclear. It is not understood how a network address can be associated with a data object.

Further regarding claims 46 and 61, the phrase "a control unit external to the printer" is vague and unclear. It is no clear what external encompasses and no mention of this in the specification is given.

Claims 47-60 are rejected for being dependent on independent claim 46.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 46-55 and 57-61 rejected under 35 U.S.C. 103(a) as being unpatentable over Barnard et al., (United States Patent No. 6,920,506) in view of Rivette et al (United States Patent number 5806079).

Regarding **Claim 46**,

Barnard teaches a method for simplifying maintenance, adjustment, or error analysis of a data object in a printer or copier, comprising the steps of: **(See Figure 9 and Column 2 Line 61 through Column 3 Line 23, Barnard discloses a method for control of a printer or copier)**

providing a control unit external to the printer or copier connected to a first data line for said at least one of maintenance, adjustment, or error analysis of said data object; **(See abstract, figures 8-11. and column 13 lines 9 – column 14 line 65, Barnard teaches an external control unit connected to a printer.)**

providing in said printer or copier at least a first control unit and a second control unit and a second data line between said first and second control units for transferring

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data, said at least one first control unit being connected to said external control unit by said first data line, and said second control unit having said data object stored in a storage region thereof, said data object comprising a variable or a constant for control of the printer or copier; associating a first identifier as a first network address with the first control unit and associating a second identifier as a second network address with the second control unit; and **(See Figure 9 and Column 6, Lines 25-54, Barnard teaches a printer with which data objects could be stored transmitted through out and ultimately printed.**

Barnard does not explicitly disclose associating a third identifier as a third network address which is different than said second identifier second network address with the data object to enable a simplified direct access to the data object by said external control unit for said at least one of maintenance, adjustment, or error analysis of said data object.

Rivette teaches Barnard does not explicitly disclose associating a third identifier as a third network address which is different than said second identifier second network address with the data object to enable a simplified direct access to the data object by said external control unit for said at least one of maintenance, adjustment, or error analysis of said data object. **(See abstract, figures 1-3 and column 1 line 25-column 2 line 65, Rivette teaches a hyperlink (i.e. data object) which can be printed. A hyperlink is clearly a data object which is associated with a network address and which gives an external control unit simple access to the hyperlink.)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have known to combine Rivette with Barnard in order to make the system of Barnard more robust. Simply stated, the hyperlink data objects discussed in Rivette is commonly used in printing. For example, a printer can print a hyperlink, which has a network address. Therefore, incorporating the hyperlink data object into of Rivette, into the network management system of Barnard is advantageous because it makes the system of Barnard more encompassing.

Regarding **Claim 47**,

Barnard and Rivette teach the method according to claim 46 wherein the network addresses are hierarchically organized and the third network address is hierarchically subordinate to the second network address. **(See Column 11 Line 50 through Column 12 Line 12, Barnard)**

Regarding **Claim 48**,

Barnard and Rivette teach the method according to claim 46 wherein the second network address is determined with aid of the third network address. **(See Column 11 Line 50 through Column 12 Line 12, Barnard)**

Regarding **Claim 49**,

Barnard and Rivette teach the method according to claim 47 wherein a transfer path for access to the data object is predetermined by a hierarchical position of the third

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network address. **(See figures 6-8 and column 9 line 34 – column 10 line 56, Barnard.)**

Regarding **Claim 50**,

Barnard and Rivette teach the method according to claim 46 wherein data of the data object are read out from the storage region of the second control unit by the first control unit with aid of the third network address. **(See figures 9-13 and column 10 line 15 – column 11 line 56, Barnard.)**

Regarding **Claim 51**,

Barnard and Rivette teach the method according to claim 46 wherein the first control unit and the second control unit respectively form a network node. **(See figures 1 and 9, Barnard)**

Regarding **Claim 52**,

Barnard and Rivette teach the method according to claim 48 wherein the third network address comprises a sub-address of the second network address. **(See figures 7-10 and column 8 line 05 – column 9 line 35, Barnard.)**

Regarding **Claim 53**,

Barnard and Rivette teach the method according to claim 46 wherein the data object comprises a parameter of the printer or copier and a value of the data object

specifies a value of the parameter of the printer or copier. **(See figures 9-13 and column10 line 15 – column 11 line 56, Barnard.)**

Regarding **Claim 54**,

Barnard and Rivette teach the method according to claim 46 wherein the control units are hierarchically organized, the second control unit being hierarchically subordinate to the first control unit, and the network address of the second control unit being hierarchically subordinate to the network address of the first control unit. **(See figures 9-13 and column 12 line 35 – column 13 line 64, Barnard.)**

Regarding **Claim 55**,

Barnard and Rivette teach the method according to claim 46 wherein at least one third control unit is provided that is connected with the second control unit via a third data line and is hierarchically subordinate to the second control unit, the data object being read out by the third control unit via the third data line. **(See figures 7-10 and column9 line 15 – column 10 line 56, Barnard.)**

Regarding **Claim 57**,

Barnard and Rivette teach the method according to claim 46 wherein data transfer over the first data line occurs with aid of the Simple Network Management Protocol. **(See Figure 9 and Column 11 Line 51 through Column 13 Line 12, Barnard discloses Simple Network Management Protocol)**

Regarding **Claim 58**,

Barnard and Rivette teach the method according to claim 46 wherein routers are provided in the control units, the routers forwarding a read request to at least one network address hierarchically subordinate to the data object. **(See Figures 7-9 and Column 10 Line 51 through Column 11 Line 12, Barnard)**

Regarding **Claim 59**,

Barnard and Rivette teach the method according to claim 46 wherein a position of the data object in the network is determined with aid of the network address of the data object. **(See abstract, figures 1-3 and column 1 line 25-column 2 line 65, Rivette)**

Regarding **Claim 60**,

Barnard and Rivette teach the method according to claim 46 wherein the external control unit comprises a personal computer with software. **(See figures 8-9, and column 11, Barnard.)**

Regarding **Claim 61**,

Claim 61 is substantially the same as **claim 46** and is thus rejected for reasons similar to those in rejecting **claim 46**.

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3. Claim 56 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barnard et al., (United States Patent No. 6,920,506) in view of Rivette et al (United States Patent number 5806079) further in view of Official Notice.

Regarding **Claim 56**,

Barnard and Rivette teach the method according to claim 46.

Examiner is taking official notice as to wherein the first data line comprises an HDLC network, and the second data line comprises a CAN network.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have known that multiple types of networks could be used for the first and second data lines depending on needs in order to make the system most efficient.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Any response to this Office Action should be **faxed** to (571) 272-8300 or **mailed** to:

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Hand-delivered responses should be brought to
Customer Service Window

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Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to NINOS DONABED whose telephone number is (571)270-3526. The examiner can normally be reached on Monday-Friday, 7:30 AM-5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/N. D./
Examiner, Art Unit 2444

/William C. Vaughn, Jr./

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Supervisory Patent Examiner, Art Unit 2444